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16 Attorneys for Plaintiff and Counterclaim Defendant  
17 LIFE TECHNOLOGIES CORPORATION

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

LIFE TECHNOLOGIES CORPORATION,

Case No.: 3:10-cv-02665 JAH (MDD)

Plaintiff,

vs.

BIOSEARCH TECHNOLOGIES, INC.,

**PLAINTIFF LIFE TECHNOLOGIES  
CORPORATION'S NOTICE OF  
MOTION AND MOTION TO DISMISS  
DEFENDANT BIOSEARCH  
TECHNOLOGIES, INC.' FIRST  
AMENDED COUNTERCLAIMS**

Defendant.

BIOSEARCH TECHNOLOGIES, INC.,

**Hearing Date: August 8, 2011**

Counterclaimant,

**Time: 2:30 p.m.**

vs.

**Courtroom: 11**

LIFE TECHNOLOGIES CORPORATION,

**Judge: Hon. John A. Houston**

Counterclaim-Defendant.

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on August 8, 2011 at 2:30 p.m., or as soon thereafter  
3 as counsel may be heard in the above-entitled Court, located at 940 Front Street, San Diego,  
4 CA 92101-8900 in Courtroom 11, Plaintiff and Counterclaim-Defendant Life Technologies  
5 Corporation will and hereby does move this Court to dismiss the amended state law  
6 counterclaims (the First through Fifth Counterclaims) filed by Defendant and Counterclaimant  
7 Biosearch Technologies, Inc., (Dkt. No. 22), pursuant to Federal Rule of Civil Procedure  
8 12(b)(1) and 12(b)(6).

9 This Motion will be made on the grounds that good cause exists for said order to issue,  
10 and is based upon this Notice, the Memorandum of Points and Authorities and Request for  
11 Judicial Notice filed herewith, and the pleadings and records on file in this case, and upon such  
12 other oral and documentary evidence and argument as may be presented to the Court at the  
13 time of the hearing of this Motion.

14 Dated: May 31, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

16 By: /s/Kenneth E. Keller

17 KENNETH E. KELLER

18 Attorneys for Plaintiff and Counterclaim-Defendant  
LIFE TECHNOLOGIES CORPORATION

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